



**2009
BOARD OF GOVERNORS
MEETING**

Minutes of Meeting

**Washington State Convention
& Trade Center
Seattle, WA
September 12, 2009**

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**MINUTES OF MEETING
OF
BOARD OF GOVERNORS
NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION, INC.**

Washington State Convention & Trade Center September 12, 2009

Seattle, Washington

Chairman:
Rex A. Ferry

Secretary and Director, Sergeants-at-Arms:
J. Michael Thompson

Call To Order: Chairman Ferry called the regular meeting of the Board of Governors of the National Electrical Contractors Association, Inc. to order at 8:05 a.m. on September 12. Mr. Ferry welcomed the members of the Board and guests.

Regarding the conduct of the meeting, the following are applicable in accordance with sections 4.4 and 8 of the Bylaws:

- In all elections of officers, except when the candidate is unopposed, and in voting on amendments to the Bylaws, the Board of Governors shall take a ballot vote. On other matters, the usual form of voice voting shall prevail with each member of the Board of Governors having one vote. When a ballot is not required, any member of the Board of Governors may call for a ballot vote on any question before the question is put to the Board of Governors for a vote.
- On ballot votes, except on matters pertaining to Labor Relations, each Governor shall cast, as a unit, all the number of votes as provided in the Bylaws for the members of the chapter who are in good standing thirty (30) days prior to the date of the meeting. On any matter pertaining to labor relations, the number of votes shall be limited to those attributable to members signatory to an I.B.E.W. labor agreement. The President, District Vice-Presidents and the Vice-President-at-Large shall cast one (1) vote each.
- Effective date of these proposals shall be immediate upon passage unless otherwise indicated.
- Robert's Rules of Order will govern such discussion as may be desired on these proposals.

ROSTER - The following is a list of the members of the NECA Board of Governors that were in attendance:

EXECUTIVE COMMITTEE

President:	Rex A. Ferry - Girard, Ohio
Vice President, District 1:	David MacKay - Weymouth, Massachusetts
Vice President, District 2:	Dennis F. Quebe - Dayton, Ohio
Vice President, District 3:	Frank Russell - Mobile, Alabama
Vice President, District 4:	David A. Hardt - Chicago, Illinois
Vice President, District 5:	John M. Gueldner - San Antonio, Texas
Vice President, District 6:	Mel A. Buttrum - Snohomish, Washington
Vice President, District 7:	John J. Negro - Cedar Rapids, Iowa
Vice President, District 8:	Raymond K. Friend - Boise, Idaho
Vice President, District 9:	Richard Nogleberg - Citrus Heights, California
Vice President at Large:	John R. Colson - Houston, Texas

CHAPTER AND GOVERNOR

Alaska.....Mick E. Manning
 AlbanySimeon A. Hunsdon
 American Line Builders.....Thomas M. Wolden
 ArizonaGregory Russell
 ArkansasJimmy D. Coker
 AtlantaAlex Owen
 Atlantic Coast..... William A. Powell, Jr.
 Augusta.....Tim Mundy
 Baton Rouge.....Hermon L. Milton
 Boston.....Thomas M. Driscoll
 Cascade.....Paul C. Sorensen
 Central Florida.....Terry W. Davis
 Central Illinois.....Michael Taylor
 Central Indiana.....Jeff W. Cardwell
 Central MassachusettsJonathan Ostrow
 Central Ohio.....Greg E. Stewart
 Central Texas.....John Lambert
 Chicago & Cook County.....I. Steven Diamond
 CincinnatiWilliam J. Meyer
 Contra CostaMichael Dias (Alternate)
 Dakotas.....Gregory A. Rick
 East Central CaliforniaDavid J. Helsel
 East Tennessee.....Richard Hall
 Eastern Illinois.....Larry H. Clennon
 Eastern Oklahoma.....Larry K. LaFave
 Finger Lakes New York.....James A. Engler, Jr.
 Florida West Coast.....Andy DeLaParte
 GeorgiaPatrick D. McCarthy
 Greater Cleveland.....A. Duke J. Benevento
 Greater SacramentoFrank E. Schetter
 Gulf Coast.....Charles Freeman
 HawaiiSteve T. Watanabe
 Hudson ValleyJeffrey L. Seidel
 Idaho.....Bob Scott
 Illinois.....Wayne E. Henson
 Inland Empire.....Andrew R. Dahlman
 Intermountain.....Timothy G. Homer
 IowaSkip Perley
 KansasDoug Hague
 Kansas City.....Jerry W. Root
 Long Island.....Donald W. Leslie, Jr.
 Los Angeles County.....Stanley R. Lazarian
 Louisville.....William B. Lich
 Mahoning ValleyDavid A. Dickey
 MemphisDavid N. Estes, Sr.
 Michigan.....Ronald C. Lindberg
 MilwaukeeMichael Kelliher
 MinneapolisPaul Kosmides
 Missouri Valley Line Constructors.....Mitchell J. Marquart
 Montana.....Mick Cabbage (Alternate)
 Monterey Bay CaliforniaFrederick A. Jensen
 Northeastern Line ConstructorsGeorge Troutman
 Northeast LouisianaMartin West

Nebraska..... Gary Demmel
 New Mexico Troy L. Beall
 New York City Gina M. Addeo
 North Central Ohio..... James D. Abbott
 North Florida.....David Long
 North Louisiana..... Kirk Davis
 North Texas..... Steve Hargrove (Alternate)
 Northeastern Illinois Craig R. Martin
 Northern California Lewis Frain
 Northern Illinois Carl E. Ballard
 Northern New Jersey John J. Murphy
 Northern New York..... Leo J. Villeneuve
 Northwest Line Constructors..... Gary A. Tucci
 Ohio/Michigan..... Russ Zimmerman
 Oklahoma Chris Schoolcraft
 Orange County..... Robert L. Douglass
 Oregon-Columbia George Adams
 Oregon-Pacific-Cascade Michael J. Hamilton
 Penn-Del-Jersey..... Thomas G. Moore, Jr.
 Puget Sound..... Marvin D. Nelson
 Quad-Cities..... Frederick D. Fuessel
 Redwood Empire..... Robert Smith
 Rochester New York Brian W. Haas
 Rocky Mountain Craig Clark
 San Diego County..... Thomas L. Hedges
 San Francisco Kenneth A. Paganini
 San Mateo County Robert Gonzales
 Southeastern Line Constructors..... Brian Imsand (Alternate)
 Southeastern Michigan Jerry Dancey
 South Florida Jonathan R. Borden
 South Texas Robert A. Corbo
 Southeast Texas..... Wayne Brinkmeyer
 Southern Arizona..... John F. Kostyo
 Southern Colorado..... James L. Peterson
 Southern Indiana..... Johnny C. Dyke
 Southern Nevada Robert J. Lisowski
 Southern New Jersey Joseph R. Delgado
 Southern Sierras Thomas G. Ispas
 Southern Tier..... Lindsay T. Mills
 Southwest Louisiana James M. Stark, Sr.
 Southwest Washington Rocky Sharp
 St Louis Daniel G. Schaeffer
 St Paul Michael Hanson
 Twin Ports-Arrowhead Jeff D. Tyllia
 Washington DC Michael D. Toman
 West Virginia-Ohio Valley..... James A. Smith
 Western Line Constructors Bob Briscoe
 Western NY State..... Joseph R. Pellerite
 Western Ohio..... John S. Frantz
 Western Pennsylvania..... Robert J. Bruce
 Wisconsin..... Gerald W. Schulz
 Wyoming Bob Blackham

INTERNATIONAL CHAPTERS

- Canadian Electrical Contractors Association, Inc Rick Brodhurst
- National Electrical Communications Association of Western Australia ... Kyle Kutasi (Alternate)
- NECA ACEH Honduras Charles H. George
- NECA AMERIC (Mexico) ~ National OfficeJaime Quintana (Alternate)

The following were not represented:

Vice President, District 10

Domestic Chapters

- California Central Coast
- Central Mississippi
- Connecticut
- El Paso
- Kern County
- Maryland
- Northern Indiana
- Red River Valley
- Rhode Island & Southeast Massachusetts
- Santa Clara Valley
- South Louisiana
- Southwestern Line Constructors
- West Texas
- Western Massachusetts

International Chapters

- ACEN NECA Monterrey
- ECA ~ Electrical and Communications Association ~ Queensland
- Electrical Contractors Association of New Zealand
- NECA (Australia) ~ National Office
- NECA (Australia) ~ New South Wales
- NECA (Australia) ~ South Australia
- NECA ACOEO Guadalajara
- NECA El Salvador

Welcome from Host City: Marv Nelson, Governor of the Puget Sound Chapter welcomed the governors and guests to Seattle.

Recognition of Fellows of the Academy of Electrical Contracting: Mr. Ferry requested that all Fellows stand and be recognized.

Recognition of Deceased Governors: A moment of silence honored all chapter governors who have died since the last meeting.

Report of the President: Mr. Rex A Ferry, President, presented a report on the state of the association.

Report of the Secretary-Treasurer: Mr. J. Michael Thompson, Secretary-Treasurer, reported on the financial and membership status as of July 31, 2009.

Report of the Chief Executive Officer: Mr. John M. Grau, Chief Executive Officer, provided a current update on matters of substantial concern to the Association.

Report on Labor Relations: Mr. Geary M. Higgins, Vice President, Labor Relations, reported on the current status of Labor Relations issues.

Discussion of Officers Reports: Mr. Ferry opened the floor to discussion about the officers' reports. Several governors asked questions and expressed opinions on various matters.

Report of the ELECTRI International: Mr. George Troutman presented a report on the status of ELECTRI International.

Report on Political Leadership Council: Mr. Larry Cogburn, National Chairman, reported on accomplishments of the Political Action Committee.

Remarks: Mr. William J. "Mac" Lynch, Vice President of the MCAA, updated the Board on activities of his association.

Presentation of Industry Partner Award: Mr. Ferry presented the 2009 award to the National Association of Electrical Distributors (NAED) for their partnering efforts on the anti-counterfeit products initiative. Accepting for NAED was their board member Robert A. Reynolds.

Actions:

Action on Minutes of Previous Meeting:

Upon motion duly made and seconded, the minutes of the meeting held in Chicago, IL on October 4, 2008, were approved as submitted by voice vote.

Action to Reaffirm Standing Policy Statements:

Upon motion duly made and seconded, it was voted to reaffirm Standing Policy Statements 1-3, 5 and 6 and 8-18 by voice vote.

Action on Bylaw Amendment Proposal #1:

*Being properly submitted by the Central Texas Chapter, this proposal this proposal to amend Section 10.4(e) regarding the duties of a District Vice President was **ADOPTED**. A ballot vote was required and the results showed 4,698 votes cast FOR and 31 votes cast AGAINST, A two-thirds majority was required to adopt this amendment.*

Bylaw Amendment Proposal #1

Current Language

Proposed Language

{~~strikeover~~ indicates deleted language; underline indicates new language}

Section 10.4. District Vice Presidents.

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(e) **Duties.** District Vice Presidents shall:

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- 1) Exercise leadership necessary to assure proper promotion of this Association's policies and programs.
- 2) Lend counsel and advice to Chapter officers and agents and coordinate their efforts.
- 3) Act for the Association to investigate and report pertinent developments in that District.
- 4) Perform such additional duties as the Board of Governors may from time to time assign.

- 1) Represent the conveyed interests of the chapters in their districts to the Association and the Executive Committee.
- ~~2) Exercise leadership necessary to assure proper promotion of this Association's policies and programs.~~
- ~~3) Lend counsel and advice to Chapter officers and agents and coordinate their efforts.~~
- ~~4) Act for the Association to Investigate and report pertinent developments in that the District that could affect this Association.~~
- 4) Perform such additional duties as the Board of Governors may from time to time assign.

Action on Ordinary Proposal #1:

*Being properly submitted by the NECA Executive Committee, this proposal to establish a new Standing Policy on Safety Programs and Safe Workers was **ADOPTED**. A ballot vote was requested and the results showed 3,677 votes cast FOR adoption and 931 votes cast AGAINST. A majority vote was required to adopt this proposal.*

Ordinary Proposal #1

WHEREAS, the National Electrical Contractors Association has long supported safe construction practices and quality safety programs; and,

WHEREAS, NECA believes workplace safety is an integral part of the electrical contracting business; and,

WHEREAS, NECA and its members understand jobsite safety is an important responsibility shared between employers and employees; and,

WHEREAS, NECA supports collaborative efforts in fostering and maintaining industry alliances/partnerships that share common objectives that are safety driven; and,

WHEREAS, NECA promotes establishing a safe and healthy workplace for all employees that fosters efficient and cost effective operations; and,

WHEREAS, NECA's commitment to safety excellence and safe work environments remains active, focused, and constant.

Therefore, be it RESOLVED that the National Electrical Contractors Association promotes and endorses adoption of this new Standing Policy (Safety Programs and Safe Workers):

Policy 19
Safety Programs and Safe Workers

NECA believes that safety is an integral part of achieving excellence in the electrical contracting business by maintaining the highest productivity, quality, and safety standards in a proactive, practical, and cost effective approach to manage organizational loss control. NECA members demonstrate safety professionalism and responsibility through every aspect of work and services they provide including designing, planning, construction, service work, and implementing operations with a minimum of disruption to customers. NECA's commitment to jobsite safety is reinforced by placing special emphasis in quality safety training programs that integrate safety into project pre-planning and project management.

NECA, historically, has supported and continues to support the highest safety standards in construction for the benefit of its members, the industry and the consuming public. NECA actively advocates maintaining the safest and most productive workplace possible. NECA members appreciate the benefits of a workplace free from injuries, the advantage of a productive work force, and the responsibility of offering a safe working environment. To that end, NECA believes that to achieve *zero injuries* in the workplace, contractors must strive for *zero energy work environments* as the normal and best practice, whenever achievable.

NECA members understand jobsite safety is an important responsibility shared between employers and employees and affirms that implementing safe work practices is not optional. The association believes that a trained and qualified workforce has responsibility to recognize and avoid workplace hazards and, where necessary, employers provide appropriate personal protective equipment for workers exposed to workplace hazards.

NECA remains active in government relations and rulemaking processes related to worker safety. The association actively participates in electrical safety standard development, such as NFPA 70 the *National Electrical Code*, and NFPA 70E *Standard for Electrical Safety in the Workplace* and other safety legislation that affects the industry. NECA is committed to supporting collaborative effective efforts in industry alliances and partnerships sharing common safety objectives.

The goal of NECA members is to maintain a safe and healthy workplace for all employees and to foster efficient operations, thereby offering the best possible product and services to the construction customer. Effective safety-related work practices and principles must be integrated into the planning and installation of electrical work as well as into design.

NECA members recognize that implementing effective safety programs and safe work practices is often challenged by cultural differences and other distractions that are not in best interest of employees or employers and they are dedicated to solving these problems while establishing and maintaining safety in the workplace. *Safety Excellence* results from safe work practices that continuously strive for *Zero Injuries*. NECA's commitment to safety excellence and safe work environments remains active, focused and constant.

Action on Ordinary Proposal #2:

*Being properly submitted by the Government Affairs Committee, this proposal regarding an amendment to section c of Standing Policy 4 on **Contract Procedure** was **ADOPTED** by voice vote.*

Ordinary Proposal #2

Current Language

(c) AWARDING METHODS. Long experience and logical analysis indicate that generally owners and the public benefit when the electrical and mechanical portions of most construction projects are separately bid to awarding authorities by electrical and mechanical specialty contractors. This procedure usually results in: (a) lower cost; (b) selection of better-qualified electrical and mechanical contractors to perform the highly specialized functions involved in these phases of work; (c) placement of direct responsibility for performance in each major phase of the project on the contractor technically capable of accepting that responsibility; and (d) elimination of the unfair trade practices of bid-shopping, bid-peddling, failure to make timely progress payments to subcontractors, and economic coercion of subcontractors with the use of owners' and subcontractors' money.

Therefore, NECA will actively support continuation and extension of the policy of separate bidding or letting of electrical contracts by public and private owners through public relations, inter-industry and legislative action wherever its chapters favor this system.

NECA recognizes that there are substantial differences between electrical and mechanical work and work which may be subcontracted by the general contractor or performed by his own forces. Therefore, it is advocated that prime contractors or bids be segregated into only major divisions of related portions of normal construction projects; namely, the electrical contract, incorporating lighting, wiring, electrical heating, electrical and electronic controls, other types of electronic systems, communications systems, and preparatory work connected with such electrical work; the mechanical contracts, including plumbing, non-electric heating, ventilating, air-conditioning, sprinkling systems, drainage systems, and pneumatic systems; the elevator contract if appropriate; and the structural and architectural contract, including all remaining phases of construction to the completion of the building or facility. NECA disapproves of breaking down the work into many small separate contracts involving functions which are often performed by various crafts employed by a single general structural contractor.

Proposed Language

{~~strikeover~~ indicates deleted language; underline indicates new language}

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Therefore, NECA will actively support continuation and extension of the policy of separate bidding or letting of electrical contracts by public and private owners through public relations, inter-industry and legislative action wherever its chapters favor this system.

NECA recognizes that there are substantial differences between electrical and mechanical work and work which may be subcontracted by the general contractor or performed by his own forces. Therefore, it is advocated that prime contractors or bids be segregated into only major divisions of related portions of normal construction projects; namely, the electrical contract, incorporating lighting, wiring, electrical heating, energy efficient electrical and electronic controls, renewable energy technologies, including wind, hydrokinetic, photovoltaic, biomass, geothermal, energy storage cells; other types of electronic systems, communications systems, security systems, data lines, wireless systems, and preparatory work connected with such electrical work, as well as work related to smart grid construction and power line transmission and distribution; the mechanical contracts, including plumbing, non-electric heating, ventilating, air-conditioning, sprinkling systems, drainage systems, and pneumatic systems; the elevator contract if appropriate; and the structural and architectural contract, including all remaining phases of construction to the completion of the building or facility. NECA disapproves of breaking down the work into many small separate contracts involving functions that are often performed by various crafts employed by a single general structural contractor.

Action on Proposal to Amend Ordinary Proposal #3:

*Being properly submitted by the Government Affairs Committee, this proposal regarding an amendment to Standing Policy 7 on Public Policy on Public Works was **ADOPTED** by voice vote.*

Ordinary Proposal #3

Current Language

NECA endorses the following principles with respect to public works construction:

1. That all public works should be undertaken in a manner which assures full, fair and ethical competition by qualified, responsible construction contractors.
2. That plans and specifications for essential public works should be placed in the blueprint stage in advance so as to be ready for quick action when needed.
3. That plans and specifications for private work should also be prepared in advance as far as practicable in order that private construction, which normally constitutes two-thirds of construction volume in peacetime, may have first call on the industry's resources.

Proposed Language

{~~strikeover~~ indicates deleted language; underline indicates new language}

NECA endorses the following principles with respect to public works construction:

1. That all public works should be undertaken in a manner which assures full, fair and ethical competition by qualified, responsible construction contractors.
2. That plans and specifications for essential public works should be placed in the blueprint stage in advance so as to be ready for quick action when needed, this would include advanced energy efficiency performance specifications and technical criteria necessary for design-build projects.
3. That plans and specifications for private work should also be prepared in advance as far as practicable in order that private construction, which normally constitutes two-thirds of construction volume in peacetime, may have first call on the industry's resources.

Action on Proposal to Amend Ordinary Proposal #4:

*Being properly submitted by the District 6 Council, this proposal regarding the National Electrical Code cycle was **ADOPTED** by voice vote.*

Ordinary Proposal #4

WHEREAS, the National Electrical Code® (NEC) is a set of rules and regulations that ensure the safe installation of electrical wiring and equipment. It is the preeminent electrical installation code in the U.S.; and,

WHEREAS, the NEC is significant to the electrical industry when adopted into law by states and local jurisdictions; and,

WHEREAS, the NEC is updated and published every three years with the 2008 Code being the most recent edition; and,

WHEREAS, state and local areas adopt installation codes at different times resulting in regional inconsistencies that increase risk for electrical contractors; and,

WHEREAS, some jurisdictions adopt the NEC with state or local amendments; and,

WHEREAS, some states have adopted the 2008 NEC while there are a number of states that have either local adoption or have NEC editions in effect that are 2005 or older; and,

WHEREAS, the NEC is the model building code that has the fewest local amendments; and,

WHEREAS, the process for changing, implementing, training, purchasing and distributing each new edition of the code is costly, time consuming and confusing; and,

WHEREAS, the NEC development cycle includes a formal process for submitting tentative interim amendments (TIAs) if there is an urgent need for a rule change; and,

WHEREAS, code changes could be adopted less frequently so as to reduce costs and increase efficiency with minimal negative consequences to the electrical industry.

Therefore, be it RESOLVED that the National Electrical Contractors Association promotes and endorses revising the National Electrical Code® on a five-year cycle rather than the existing three-year cycle.

Election of Member Vice Presidents:

There being no opposition, upon motion duly made and seconded, the following candidates were elected to two-year terms commencing January 1, 2010:

Vice President, District 1	David R. MacKay, Weymouth, Massachusetts
Vice President, District 3	Lanny S. Thomas, Atlanta, Georgia
Vice President, District 5	Chris Schoolcraft, Oklahoma City, Oklahoma
Vice President, District 7	Daniel G. Schaeffer, St. Louis, Missouri
Vice President, District 9	Stan Lazarian, Pasadena, California

Announcement of Executive Committee Selection for Vice President At Large

President Ferry announced that the Executive Committee had appointed Ron Autrey as the Vice President at Large for the two-year term commencing January 1, 2010. Mr. Autrey represents Miller Electric of Jacksonville, Florida.

Special thanks were offered to retiring Vice Presidents Frank Russell, John M. Gueldner, John J. Negro, Richard Nogleberg and John R. Colson.

Other Business:

There being no further business to come before the meeting, the Chairman thanked the members for their presence and cooperation and officially adjourned the meeting at 11:43 am.



J. Michael Thompson
Secretary

National Electrical Contractors Association
3 Bethesda Metro Center, Suite 1100
Bethesda, MD 20814
301-657-3110
Fax: 301-215-4500
www.necanet.org

